

Knight	Shivers
Lane	Spears
Lanning	Stone
Martin	Taylor
Mauritz	Weinert
Moore	Winfield
Parrish	York

Nays—10

Aikin	Moffett
Brown	Morris
Bullock	Stanford
Chadick	Sulak
Crawford	Vick

Absent—Excused

Carney	Metcalfe
Hazlewood	Ramsey
Kelley	

The Senate, accordingly, at 12:45 o'clock p. m., adjourned until 10:30 o'clock a. m. Monday, April 2, 1945.

FORTY-NINTH

(Monday, April 2, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalfe	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 29, 1945, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Weinert was granted leave of absence for today on account of illness in his family on motion of Senator Mauritz.

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Mauritz.

Reports of Standing Committees

Senator Vick submitted the following report:

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Judicial Districts to whom was referred H. B. No. 138, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

VICK, Vice Chairman.

Senator Carney submitted the following reports:

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 602, have had same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 466, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 380, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 343, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 545, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 96, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 186, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 185, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 252, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 259, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 557 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 301, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Spears submitted the following reports:

Austin, Texas,
March 29, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts, to whom was referred S. B. No. 140, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Debts, Claims and Accounts, to whom was referred S. B. No. 142, have had the

same under consideration and we are instructed to report it back to the Senate with the recommendation that the original bill do not pass but that the substitute do pass in lieu thereof and be not printed.

SPEARS, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts, to whom was referred S. B. No. 141, have same under consideration and we are instructed to report it back with the recommendation that the original bill do not pass but that the substitute bill do pass in lieu thereof and be not printed.

SPEARS, Chairman.

Senator Martin submitted the following report:

Austin, Texas,
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

We, your Committee on Veterans' Affairs, to whom was referred H. B. No. 426 by Lock of Angelina, have had said bill under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

MARTIN, Chairman.

Senate Concurrent Resolution 25

Senator Moffett offered the following resolution:

S. C. R. No. 25, Relating to restoration of standard time.

Whereas, there are many reliable indications that the end of the present world struggle is approaching; and

Whereas, during said struggle, the National Congress has established what is known as War Time for the declared purpose of conserving electrical power, principally in the industrial areas of the North and East; and

Whereas, so-called War time, in the opinion of many of those qualified to judge, has never been of any direct assistance in the war effort in many parts of the United States, including the Southwest; and in fact has often been earnestly described as hindering rather than helping the war effort because of the numerous dislocations

which it caused, particularly in the Winter months; and

Whereas, since the alleged shortage of electrical power and the need for the conservation of same will doubtless soon cease to exist because of the victorious achievements of the armed forces of the Allies; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that we do respectfully but most sincerely and earnestly urge the National Congress to restore normal standard time throughout this entire country except in such relatively small zones or areas that may for local reasons desire to continue to have their clocks moved forward one hour and participate in the inconvenience generally caused thereby; and be it further

Resolved that the Secretary of the Senate be instructed to forward a copy of this resolution to each member of Congress from Texas and to each United States Senator from this state.

MOFFETT
VICK

The resolution was read.

Senator Moffett moved that the resolution be considered immediately.

The motion was lost by the following vote:

Yeas—8

Chadick	Mauritz
Hazlewood	Moffett
Knight	Morris
Lanning	York

Nays—15

Aikin	Ramsey
Carney	Shivers
Graves	Spears
Jones	Stone
Lane	Sulak
Martin	Taylor
Metcalf	Winfield
Moore	

Absent

Brown	Parrish
Bullock	Stanford
Crawford	Vick

Absent—Excused

Kelley	Weinert
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The President then referred the resolution to the Committee on Federal Relations.

Message from the Governor

The following message, received from the Governor today, was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,
March 29, 1945.

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Veterinary Medical Examiners for two year terms to expire January 17, 1947:

A. C. Burns of Cleburne, Johnson County.

J. K. Northway of Kingsville, Kleberg County.

C. W. Neal of San Antonio, Bexar County.

Dr. N. A. Cox of Lubbock, Lubbock County.

J. W. Barton of Temple, Bell County.

Charles Koberg of San Angelo, Tom Green County.

H. K. Maier of Beaumont, Jefferson County.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

Senate Bill 306 on First Reading

Senator Spears moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalfe	

Absent—Excused

Kelley

Weinert

The following bill then was introduced, read first time, and referred to the Committee on Oil, Gas and Conservation.

By Senator Spears:

S. B. No. 306, A bill to be entitled "An Act amending Section 2, Section 3, Section 7, Section 14 and Section 21, and repealing Section 5 of Article 6008 and amending Article 6014 of the Revised Civil Statutes of Texas, 1925, as amended, defining "gas well," "oil well"; further defining waste of oil and gas and restricting the production of gas from oil well; authorizing the Commission when it is no longer profitable or feasible to operate a pool as an oil pool after notice and hearing to declare such pool to be a gas pool and authorize it to be developed and operated as such; further limiting the use of gas for gas lift purposes; amending the statutory provisions governing the determination and allocation of market demand for gas; authorizing voluntary agreements for the cooperative development and operation of oil and gas properties, for marketing the products therefrom and in conducting secondary recovery operations; authorizing the Commission to permit or require the cycling of gas under certain circumstances; providing that this Act shall become effective on March 1, 1946; repealing all laws and parts of laws in conflict herewith; making this Act cumulative of existing laws, and declaring an emergency."

Senate Bill 307 on First Reading

Senator Metcalfe moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Knight
Brown	Lane
Bullock	Lanning
Carney	Martin
Chadick	Mauritz
Crawford	Metcalfe
Graves	Moffett
Hazlewood	Moore
Jones	Morris

Parrish	Sulak
Ramsey	Taylor
Shivers	Vick
Spears	Winfield
Stanford	York
Stone	

Absent—Excused

Kelley	Weinert
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The following bill then was introduced, read first time and referred to the Committee on Public Health:

By Senator Metcalfe:

S. B. No. 307, A bill to be entitled "An Act amending Section 9, Chapter 395, the same being Senate Bill 128 Acts of the Regular Session of the 48th Legislature, so as to authorize the granting of a license to practice pharmacy to persons who have been registered in some other State or Territory for a period of not less than five years immediately prior to the effective date of this Act providing that the person's license is in good standing, and providing that such other Board grants the same reciprocal privileges to pharmacies of this State; and declaring an emergency."

Senate Bill 308 on First Reading

Senator Ramsey moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalfe	

Absent—Excused

Kelley	Weinert
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The following bill then was introduced, read first time and referred to the Committee on Education:

By Senator Ramsey:

S. B. No. 308, A bill to be entitled "An Act amending the Teacher Retirement Law so as to change the date for the beginning of payment of retirement benefits; and declaring an emergency."

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

S. B. No. 116, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the University of Texas to levy a regular, fixed student fee for the purpose of operating, maintaining, and improving the Texas Union Building at the University of Texas, fixing the amount of said fee, and authorizing the auditor of the University of Texas to collect the same, and providing the purposes of which said fee shall be used, and placing the control of the fees in the hands of the Board of Directors of the Texas Union Building, and providing for a budget for the operation of said building, and declaring an emergency."

(With amendments).

H. C. R. No. 52, Relative to consideration of the biennial appropriation bills:

Respectfully submitted,
CLARENCE JONES,
Chief Clerk House of Representatives.

Senate Bill 218 on Second Reading

Senator Jones moved that the regular order of business be suspended to take up Senate Bill 218 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Brown	Lanning
Carney	Mauritz
Crawford	Metcalfe
Graves	Moffett
Hazlewood	Parrish
Jones	Spears
Knight	Stone
Lane	Sulak

Taylor
Vick

Winfield
York

Nays—4

Aikin
Bullock

Chadick
Shivers

Absent

Martin
Moore
Morris

Ramsey
Stanford

Absent—Excused

Kelley

Weinert

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 218, A bill to be entitled "An Act amending Article 5732, Revised Civil Statutes of Texas, 1925, prescribing the units or standard of measure of capacity for liquids and prescribing discharge capacity of liquid measuring devices; and declaring an emergency."

The bill was read second time.

Senator Jones offered the following amendment to the bill:

Amend Senate Bill No. 218, line 20, after the word "gills" the following:

"provided, however, that a liquid measuring device which indicates fractional parts of a gallon may indicate such fractional parts in terms of binary sub-multiple subdivisions or in terms of tenths of a gallon.

For the purposes of this Article, the term "liquid measuring device" shall be construed to mean a mechanism or machine adapted to measure and deliver liquid by volume.

Section 2. The fact that there is no adequate statutes providing for the indication of fractional parts of a gallon for liquid measuring devices creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule which requires all bills to be read on three several days in each house and said rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

On motion of Senator Jones, and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

(Pending consideration of the bill,

Senator Mauritz occupied the Chair temporarily.)

(President in the Chair).

S. B. No. 218 was then passed to engrossment.

Record of Vote

Senator Moore asked to be recorded as voting "nay" on the engrossment of the bill.

Senator Metcalfe moved to reconsider the vote by which Senate Bill 218 was passed to engrossment.

The motion prevailed.

Question—Shall the bill be passed to engrossment?

On motion of Senator Metcalfe, further consideration of the bill was postponed until Monday, April 9, 1945, immediately following the morning call on that day.

Senate Bill 78 with House Amendments

Senator Morris called S. B. No. 78 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Morris moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lanning, Morris, Aikin, Graves, and Taylor.

Bills and Resolutions Signed by the President

The President signed in the presence of the Senate, after giving due notice thereof, the following bills and resolutions:

H. B. No. 211, A bill to be entitled "An Act to amend House Bill 683, Chapter 11, Acts of the 46th Legislature defining a 'Nonresident Commercial Fisherman'; defining a 'Nonresident Commercial Fishing Boat'; and providing for a Nonresident Commercial Fishing License and the fee for same; providing for a Nonresident Commercial Fishing Boat."

H. B. No. 234, A bill to be entitled

"An Act to amend House Bill No. 678 of the Forty-eighth Legislature same being Chapter 190 of the General and Special Laws of the Forty-eighth Legislature, so as to include Marion County as coming within the open season for hunting wild buck deer as same is provided for therein; repealing all laws in conflict; and declaring an emergency."

H. C. R. 25, Relating to the benefits of the Social Security Act and particularly of the Unemployment Compensation Act have been extended by the Congress to cover a major portion of the people of the country who are employed in industry, business and other private pursuits, but not to that large body of our people who are employed by the several States and their counties, municipalities and other political subdivisions.

H. B. No. 516, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts, whether organized under general or special law, and which, according to the Scholastic Census for the preceding year, had a scholastic population of more than fifteen hundred (1500) and less than three thousand (3000) approved scholastics, and the boundaries of which are co-extensive with the boundaries of the incorporated cities or towns in which such independent school districts are located; repealing all laws in conflict herewith, both general and special; and declaring an emergency."

H. C. R. No. 18, Granting permission to Ed Davis and wife to bring suit against the State of Texas and against the Highway Department of the State of Texas.

H. J. R. No. 11, Proposing an amendment to the Constitution of the State of Texas so as to provide for continuous salary per diem of all members of the Legislature during their tenure of office.

H. C. R. No. 49 suspending the Joint Rules for the purpose of allowing consideration in the House today of House Bill No. 309.

H. B. No. 333, A bill to be entitled "An Act creating a Special Road Law for Orange County, Texas, providing that said county may refund the indebtedness outstanding against its Road and Bridge Fund as of March

1, 1945, as an amount not to exceed \$80,000.00, by the issuance of refunding bonds; providing that items of indebtedness as of said date in the form of bonds, scrip, or time warrants, may be included in such refunding bond issue, etc., and declaring an emergency."

S. B. No. 288, A bill to be entitled "An Act providing that in case of vacancy from any cause in any elective office of any Home Rule City in this state having a population of 384,000 inhabitants or more according to the last preceding or any future Federal census where the Charter of such city does not at such time, provide for the filling of such vacancy, the city council or governing body of such city by majority vote shall appoint someone to fill such vacancy for the unexpired term and pending such appointment may appoint someone temporarily to hold such office, which person or persons as the case may be shall be qualified in like manner as is then required of the elective official; and declaring an emergency."

H. C. R. No. 38, Requesting the Honorable Frank C. Walker, Postmaster General of the United States, to have issued a postage stamp in commemoration of the centennial of the voluntary surrender of sovereignty of the Republic of Texas and its annexation into the American Union.

H. B. No. 260, A bill to be entitled "An Act to amend Section 1 of House Bill 191, Acts of the Regular Session, Thirty-third Legislature of the State of Texas, being the Regular Session of the Legislature held at Austin in 1913, so as to clearly fix and define the location of that portion of the East line of Jim Hogg County, which is a common boundary to both Jim Hogg and Brooks Counties; providing that all laws and parts of laws in conflict herewith are hereby expressly repealed, and declaring an emergency."

H. B. No. 342, A bill to be entitled "An Act providing an open season for hunting wild buck deer, wild turkey gobblers and collared peccary or jaelina in Precincts 1 and 2 in Kenedy County; providing a bag limit for said precincts in said county; providing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act to validate the organization and creation of independent school districts established and created by consolidation therewith of one or more county line school districts and by consolidation therewith of elementary school districts and to validate the enlargement of independent school districts by the annexation thereto one or more common school districts and to validate the abolition of former elementary school districts made an integral part of independent school districts by annexation or by act of the board of trustees of said independent school district, etc., and declaring an emergency."

Report of Standing Committee

Senator Moffett, by unanimous consent, submitted the following report:

Austin, Texas
April 2, 1945

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Federal Relations to whom was referred S. C. R. No. 25, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

Motion to Set Senate Bill 57 as Special Order

Senator Bullock moved that S. B. No. 57 be set as a special order for Tuesday, April 10, 1945, immediately following the morning call on that day.

The motion was lost by the following vote:

Yeas—12

Bullock	Morris
Chadick	Parrish
Crawford	Spears
Graves	Sulak
Jones	Vick
Martin	Winfield

Nays—15

Aikin	Moffett
Brown	Moore
Carney	Ramsey
Hazlewood	Stanford
Knight	Stone
Lane	Taylor
Lanning	York
Metcalf	

Absent

Mauritz Shivers

Absent—Excused

Kelley Weinert

(Pending consideration of the motion by Senator Bullock, Senator Winfield occupied the Chair temporarily.)

(President in the Chair).

Recess

Senator Aikin moved that the Senate recess to 2:30 o'clock p. m., today.

Senator Metcalfe moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Question first recurring on the motion of Senator Metcalfe, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—13

Carney	Moffett
Hazlewood	Moore
Knight	Shivers
Lane	Stone
Lanning	Taylor
Martin	Winfield
Metcalf	

Nays—15

Aikin	Morris
Brown	Parrish
Bullock	Ramsey
Chadick	Spears
Crawford	Stanford
Graves	Sulak
Jones	Vick
Mauritz	

Absent

York

Absent—Excused

Kelley Weinert

Senator Moore moved that the Senate adjourn until 10:15 o'clock a. m., tomorrow.

Yeas and nays were demanded and the motion to adjourn was lost by the following vote:

Yeas—14

Carney	Moffett
Hazlewood	Moore
Knight	Shivers
Lane	Stone
Lanning	Taylor
Martin	Winfield
Metcalf	York

Nays—15

Aikin	Morris
Brown	Parrish
Bullock	Ramsey
Chadick	Spears
Crawford	Stanford
Graves	Sulak
Jones	Vick
Mauritz	

Absent—Excused

Kelley	Weinert
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Question then recurring on the motion of Senator Aikin that the Senate recess to 2:30 o'clock p. m., today, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—15

Aikin	Morris
Brown	Parrish
Bullock	Ramsey
Chadick	Spears
Crawford	Stanford
Graves	Sulak
Jones	Vick
Mauritz	

Nays—14

Carney	Moffett
Hazlewood	Moore
Knight	Shivers
Lane	Stone
Lanning	Taylor
Martin	Winfield
Metcalf	York

Absent—Excused

Kelley	Weinert
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The Senate, accordingly, at 12:15 o'clock p. m., took recess to 2:30 o'clock p. m., today.

Afternoon Session

The Senate met at 2:30 o'clock p. m., and was called to order by the President pro tempore.

Advance Printing of Senate Bill No. 306

On motion of Senator Spears S. B. No. 306 was ordered printed in advance of its consideration in committee.

House Bill 138 Recommitted

On motion of Senator Vick, House

Bill No. 138 was recommitted to the Committee on Judicial Districts.

Message from the Governor

The following message from the Governor was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,
April 2, 1945.

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Public Weigher in and for Lubbock County for a two year term to expire April 2, 1947:

J. M. Mullins of Lubbock County.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

Senate Bill 309 on First Reading

Senator Hazlewood moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalf	

Absent—Excused

Kelley	Weinert
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The following bill then was introduced, read first time and referred to the Committee on Stock and Stock Raising:

By Senator Hazlewood:

S. B. No. 309, A bill to be entitled "An Act to amend Article 6899, Title 121, Chapter 1, Revised Civil Statutes of the State of Texas, Acts 1943, Forty-eighth Legislature, page 471,

Chapter 315, Section 1, by adding a new section thereto entitled "Section 1a"; providing for the ownership of more than one brand and/or mark by a single owner, and for the recording of more than one brand and/or mark by a single owner; repealing all laws and parts of laws in conflict herewith; providing for a saving clause and declaring an emergency."

Senate Bill 310 on First Reading

Senator Moore moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalf	

Absent—Excused

Kelley Weinert

The following bill then was introduced, read first time and referred to the Committee on Game and Fish:

By Senator Moore:

S. B. No. 310, A bill to be entitled "An Act regulating the governing boards of navigation districts in this State having a city containing 100,000 population or more according to the last preceding or any future Federal census; authorizing the employment of a general manager, prescribing his term of office, the terms and conditions of his bond and the duties required; regulating the method and manner of making contracts; authorizing hospitalization and medical services as part of the compensation of employees of such districts; authorizing the collection of statistics; declaring the provisions of this Act

cumulative, and declaring an emergency."

Senate Joint Resolution 8 with House Amendments

Senator Vick called S. J. R. No. 8 from the President's table for consideration of the House amendments to the bill.

The President pro tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Vick moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President pro tempore announced the appointment of the following conferees on the bill on the part of the Senate: Senators Vick, Stone, Martin, Shivers and Ramsey.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill 241 and has requested the appointment of a conference committee to consider the differences between the two Houses.

The following conferees have been appointed on the part of the House: Love, Simpson, Hull, Reed of Dallas, Hoyo.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk House of Representatives.

Reports of Standing Committees

By unanimous consent, the following committee reports were submitted at this time:

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B.

No. 308, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
April 2, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred

S. B. No. 310, A bill to be entitled "An Act regulating the governing boards of navigation districts in this State having a city containing 100,000 population or more according to the last preceding or any future Federal census; authorizing the employment of a general manager, prescribing his term of office, the terms and conditions of his bond and the duties required; regulating the method and manner of making contracts; authorizing hospitalization and medical services as part of the compensation of employees of such districts; authorizing the collection of statistics; declaring the provisions of this Act cumulative; and declaring an emergency."

Have considered the same, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Committee Substitute Senate Bill 52 on Second Reading

The President pro tempore laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

C. S. S. B. No. 52, A bill to be entitled "An Act concerning the general welfare of the people of this State, providing remedies for injuries suffered of death resulting from occupational disease incurred in the course of employment, providing for enforcement and administration thereof; and declaring an emergency."

The bill was read second time.

Senator Chadick offered the following amendment to the bill:

Amend Senate Bill No. 52 by striking out the words "five hundred weeks" appearing in line 57, page 5, of the printed Committee Substitute bill, and inserting in lieu thereof the

following: "four hundred and one weeks."

The amendment was adopted.

Senator Chadick offered the following amendments to the bill:

(1)

Amend Senate Bill No. 52 by striking out the words "and fifty" appearing in line 62, page 5 of the printed Committee Substitute Bill.

(2)

Amend Senate Bill No. 52 by striking out the word "two" appearing in line 2, page 6, of the printed Committee Substitute Bill, and inserting in lieu thereof "one hundred fifty."

(3)

Amend Senate Bill No. 52 by striking out the words "five hundred" appearing in lines 6 and 7, page 6, of the printed Committee Substitute Bill, and inserting in lieu thereof the words "Four hundred and one."

(4)

Amend Senate Bill No. 52 by striking out the words "two hundred" appearing in line 10, page 6, of the printed Committee Substitute Bill, and inserting in lieu thereof the words "three hundred."

The amendments were adopted.

Senator Chadick offered the following amendment to the bill:

Amend Senate Bill No. 52 by adding a new section to be known as subsection "b" of Section 11 of the printed Committee Substitute Bill, to read as follows:

"Average weekly wage under any provision of this Act shall in no event exceed \$20.00 (twenty dollars) per week nor be less than seven dollars (\$7.00) per week. Any language in conflict herewith shall be interpreted to conform with this provision."

The amendment was adopted.

Senator Chadick offered the following amendment to the bill:

Amend Senate Bill No. 52 by striking out all of lines 12, 13, 14, 15 and 16, on page 11 of the Committee Substitute bill, and inserting in lieu thereof the following:

"An award by the full Board shall be conclusive and binding unless either party to the dispute, within

twenty days after receiving a copy of such award, applies to the District Court for the County wherein it is alleged that the occupational disease was contracted, and the District Court shall have jurisdiction to review all questions of law and of fact in the same manner and to the same extent now permitted by the present Texas Workmen's Compensation Act."

The amendment was adopted.

Senator Chadick offered the following amendment to the bill:

Amend Senate Bill No. 52 by Striking out lines 19, 20, 21, 22, 23, 24, 25, and 26, appearing on page 11 of the printed Committee Substitute bill, and inserting in lieu thereof the following:

"Appeals filed under the provisions of this Act shall be in the name of the complaining party against the insurer involved."

The amendment was adopted.

Senator Chadick offered the following amendments to the bill:

(1)

Amend Senate Bill No. 52 by striking out the word "September" appearing in line 47, page 12, of the printed Committee Substitute bill and inserting in lieu thereof the word "January."

(2)

Amend Senate Bill No. 52 by striking out the words "burial expenses" appearing in line 14, page 15, of the printed Committee Substitute bill, and inserting in lieu thereof the words "burial expenses where there is no beneficiary surviving the employee."

(3)

Amend Senate Bill No. 52 by amending the caption of the printed Committee Substitute bill to conform with all amendments to the bill, and by striking out the word "of" preceding the word "death" in line 12, page 1 of the printed Committee Substitute bill and inserting in lieu thereof the word "or".

The amendments were adopted.

Senator Chadick offered the following amendment to the bill:

Amend Senate Bill No. 52 by striking out the phrase hereafter quoted, which begins on line 7, page 3, of the printed Committee Substitute Bill, as follows:

"Except as hereinafter otherwise provided, if the employee be a minor who, at the time of the last exposure, is employed, required, suffered or permitted to work in violation of any of the provisions of any of the child labor laws of this state the amount of compensation and death benefits as provided in this Act, shall be double the amount which would otherwise be recoverable. The insurance carrier shall be liable on its policy for one-half of the compensation or benefits that may be payable on account of the disability or death of such minor, and the employer shall be wholly liable for the other one-half of such compensation or benefits.

If such employee be a minor who is not less than sixteen years and not more than eighteen years of age, and who at the time of the last exposure is employed, suffered or permitted to work at any occupation which is not prohibited by law, the provisions of this Act prescribing double the amount otherwise recoverable shall not apply.

The amendment was adopted.

Senator Chadick offered the following amendment to the bill:

Amend the printed committee substitute for S. B. 52 by striking out the phrase "attending physician" appearing in line 22 page 7, and substituting in lieu thereof the following: "a legally licensed physician of the employee's choice".

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend S. B. 52 by adding at the end of line 18 on page 11 of printed Committee Substitute the following: "provided that all appeals from the board to the District Court as provided for herein shall be a trial de novo and shall be tried in said District Court the same as if said cause

of action had been filed originally in said court."

The amendment was adopted.

C. S. S. B. No. 52 was then passed to engrossment.

Record of Vote

Senator Stanford asked to be recorded as voting "nay" on the passage of C. S. S. B. No. 52 to engrossment.

Committee Substitute Senate Bill 52 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Metcalf
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Spears
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Winfield
Martin	York
Mauritz	

Nays—2

Stanford Taylor

Absent—Excused

Kelley Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Bill Signed

The President pro tempore signed in the presence of the Senate, after giving due notice, the following bill:

S. B. No. 50, A bill to be entitled "An Act declaring public policy and creating a State Board of School

Safety Supervision; prescribing the authority, powers, and duties thereof; providing for personnel; providing that no public monies shall be expended except upon certain conditions, and declaring an emergency."

Adjournment

Senator Moore moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas—15

Carney	Moffett
Chadick	Moore
Crawford	Ramsey
Knight	Stanford
Lane	Stone
Lanning	Taylor
Martin	York
Metcalf	

Nays—11

Aikin	Parrish
Brown	Spears
Bullock	Sulak
Graves	Vick
Jones	Winfield
Morris	

Absent

Hazlewood	Shivers
Mauritz	

Absent—Excused

Kelley	Weinert
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The Senate, accordingly, at 3:30 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTIETH DAY

(Tuesday, April 3, 1945)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President pro tempore Moffett.

Aikin	Jones
Brown	Knight
Bullock	Lane
Carney	Lanning
Chadick	Martin
Crawford	Mauritz
Graves	Metcalf
Hazlewood	Moffett